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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,277	05/30/2001	Carsten Thormod Pedersen	P 282898 2980651US/HS/H	7410
909	7590	06/02/2005	EXAMINER	
PILLSBURY WINTHROP SHAW PITTMAN, LLP			KARMIS, STEFANOS	
P.O. BOX 10500			ART UNIT	PAPER NUMBER
MCLEAN, VA 22102			3624	

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/870,277	PEDERSEN ET AL.
	Examiner Stefano Karmis	Art Unit 3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 16 March 2005.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-14 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-14 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/21/05
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

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## **DETAILED ACTION**

1. The following communication is in response to Applicant's amendment filed 16 March 2005.

### ***Status of Claims***

2. Claims 1-3, 8, and 12 are currently amended. Claims 4 and 5 are previously presented. Claims 6, 7, 9-11, 13 and 14 are left as originally filed. Therefore claims 1-14 are currently pending.

### ***Response to Arguments***

3. Applicant's arguments, filed 21 January 2005, with respect to the rejection(s) of claim(s) 1-14 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of as discussed below.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

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such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katz et al. (hereinafter Katz) U.S. Patent 6,424,706 in view of Fougnyes et al. (hereinafter Fougnyes) U.S. Patent 5,854,975.

Regarding claims 1, 8 and 12, Katz teaches a method for updating a subscriber's account credit in a telecommunications system where at least two different types of deposits are made into the account based on price of a call unit, comprising: defining at least two different ways of updating the credit, the different ways of updating differing from each other at least in the way the credit is calculated (column 5, lines 40-67 and column 13, lines 32-51); maintaining information indicating the type of a last voucher used (column 17, lines 10-27); receiving a deposit identifying a second voucher and selecting the way of calculating the credit on the basis of the type of the last used voucher and on the basis of the type of the second voucher used (column 5, lines 40-67 and column 13, lines 32-51). Katz fails to teach that the vouchers are

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buyable. Fougnyes teaches a method for prepaid security cellular telecommunications system in which deposits are made into account by purchasing differing types of buyable vouchers (column 19, lines 22-47). Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Katz and include the vouchers as taught by Fougnyes because it provides a means to deposit funds into a prepaid account, which Katz already does through a checking account.

Claims 2 and 13, Katz teaches checking whether the last used voucher and the second voucher are of the same type and calculating the credit by adding the value of the second voucher to the credit if the vouchers are the same or calculating the credit by setting the credit to be the value of the second voucher, if said vouchers are of a different type (column 5, lines 40-67 and column 18, lines 28-67).

Claims 3 and 14, Katz teaches calculating the credit by adding the value of the second voucher to the credit if the vouchers are the same or determining a factor, multiplying the credit with the factor and adding the result of said multiplication to the value of the second voucher, and setting the credit to be the result of said addition, if said vouchers are of different type (column 5, lines 40-67 and column 18, lines 28-67).

Claims 4 and 10, said factor is determined on the basis of the types of the last used voucher and the second voucher (column 5, lines 40-67 and column 18, lines 28-67).

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Claims 5 and 9, asking the subscriber for a permission to update the credit, if the vouchers are of different type; and updating the credit only if the permission is received from the subscriber (column 19, lines 63 thru column 20, line 14).

Claims 6, the types of vouchers are determined on the basis of their identification numbers (column 6, lines 41-55).

Claim 7, the telecommunication system is a mobile telecommunications system (Figure 3A).

Claim 11, wherein the arrangement comprises an Intelligent Peripheral of an Intelligent Network, said Intelligent Peripheral comprising an Interactive Voice Response service through which credits are updated (column 9, lines 26-47).

***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (571) 272-6744. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully Submitted  
Stefano Karmis  
25 May 2005



HANI M. KAZIMI  
PRIMARY EXAMINER